



# United States Department of the Interior

## BUREAU OF LAND MANAGEMENT MEDFORD DISTRICT GLENDALE RESOURCE AREA

### Decision Memorandum on Action and for Application of: Departmental Categorical Exclusion 1.12 **ANGORA HAZARDOUS FUELS REDUCTION PROJECT**

Categorical Exclusion Review-NEPA Compliance Record  
CE # OR 118-08-008

#### **I. Purpose and Need for the Action**

**A. Location:** The project area lies within the Medford District BLM, Glendale Resource Area and is located approximately 6 miles west of the community of Sunny Valley and Interstate 5 (Project Area Map).

**Counties:** Josephine

**Watershed:** Lower Grave Creek 6<sup>th</sup> Field (HUC 6) sub-watershed

**Land Use Allocation:** Northern General Forest Management Area (General Matrix), including connectivity/diversity blocks; Riparian Reserves,

Willamette Meridian

<b>Township:</b>	34 South	33 South
<b>Range:</b>	7 West	7 West
<b>Sections:</b>	3, 4, 5, 9, 11, 15	33

**B. Purpose and Need for Proposed Action:** The Glendale Resource Area of the Medford District BLM is proposing hazardous fuel reduction treatments in areas within the Angora project area. Fuel reduction treatments are needed as stated in the *Medford District Record of Decision and Resource Management Plan* (RMP) for “fuels management for wildfire reduction” (RMP p. 89).

The purpose of the proposed action is to reduce the existing fire hazard within the wildland-urban interface (WUI) near the community of Sunny Valley, as well as non-wildland urban interface areas. Homes in close proximity to the BLM landholdings are threatened by wildfire due to heavy fuel loading that may lead to intense fire behavior and severity. The purpose of the proposed action is to also limit fire behavior by reducing the existing fire hazard in Condition Classes 2 and 3 in Fire Regimes I, II, and III and conducting precommercial thinning and brushing in managed stands. The treatments would focus on thinning dense stands of trees and brush, hand piling and pile burning the cut material. Underburning would be implemented in areas that would benefit from maintenance treatments and where implementation is feasible.

Another purpose of the project is to moderate the potential of severe fire behavior by decreasing the existing fuel loading. The RMP provides direction to “Reduce both natural and activity based fuel hazards through methods such as prescribed burning, mechanical or manual manipulation of forest vegetation and debris, removal of forest vegetation and debris, and combinations of these methods” (RMP, p. 91)

**Fire behavior fuel models** are a tool used to predict fire behavior, including flame length, which is the unit of measure for the fire behavior threshold. The models classify vegetation into seven groups: nonburnable, grass, grass-shrub, shrub, timber-understory, timber litter, and slash-blowdown. Several fuel characteristic factors are incorporated into the models in order to predict the type of fire behavior a stand has the potential to produce under certain environmental conditions.

Fuel structure and loading would be altered to moderate potential wildfire behavior and reduce fire severity. Standard fire behavior fuel model changes characterize this objective:

- In timbered stands, reduce stand density and litter accumulation (fuel model TU2 reduced to a fuel model TL3). With weather conditions given a moderate 5 mph summer wind, flame length would decrease from 4’ to less than 2’.

**C. Description of the Proposed Action:** The Proposed Action is to manually treat forest fuels on approximately 988 acres of BLM land using hand tools and chainsaws. Small trees and brush would be thinned. Trees may be limbed to reduce ladder fuels. Slash would be hand piled, covered and burned, or removed by hand from the site. Trees and other vegetation to be cut would be less than seven inches diameter at breast height (DBH). Residual hardwood and conifers would be spaced approximately fourteen to forty feet apart. Low intensity underburning might be prescribed after initial treatment within timber stands to ensure desired fuel loadings are maintained typically within 5 years of treatment. Firelines would be less than eighteen inches wide and would be constructed using hand tools and chainsaws only.

The treatments would be site specific, meeting established land use objectives. Stand treatments would maintain conifer stocking levels within a range of 222 (14ft x 14ft) trees per acre to 109 (20ft x 20ft) trees per acre. Tree form hardwood residual stocking levels would be within a range of 48 (30ft x 30ft) trees per acre to 27 (40ft x 40ft) trees per acre. Form and vigor would take precedence over species preference in regard to retention of leave trees. Pacific yew (*Taxus brevifolia*) would be retained and not cut or damaged.

Shrub form competing vegetation would be removed; cutting 100 percent of all non-reserve species that are seven inches or less DBH within the entire treatment area. Fuel hazard slash less than 6 inches in diameter and greater than 2 feet in length would be piled. Pile size would be no larger than 8 feet in diameter and 8 feet in height.

### **Project Design Features**

Project design features (PDFs) are specific measures included in the site specific design of the action alternatives to minimize adverse impacts on the human environment. Also, many PDFs



are contained under Best Management Practices (BMP), Appendix D, in the RMP. Some of those have been included here for ease of fully understanding the project:

### **Roads and Realty**

- Public roads and trails would remain open and unobstructed.
- Survey markers and property corners would be protected.

### **Air Quality / Smoke Management**

- Prescribed burning would occur under atmospheric conditions that allow for the mixing of air to lessen the impact on air quality. Burning would be conducted in compliance with the Medford District RMP, the Oregon State Implementation Plan, and the Smoke Management Plan as administered by the Oregon Department of Forestry.

### **Cultural sites**

- All archaeological sites located within the project area would be protected using a 25 foot no treatment buffer.
- If any archaeological or historical artifacts are uncovered during project implementation, they would be left intact and undisturbed. All work in the immediate vicinity would stop immediately and the resource area archeologist would be notified. The project may be redesigned to protect the cultural resource values present, or evaluation and mitigation procedures would be implemented based on recommendations from the resource area archaeologist and concurrence by the Glendale Field Manager and State Historic Preservation Office.

### **Streams and Riparian Zones**

- For treatments involving cutting of vegetation, a No Treatment Zone (NTZ) of 25 feet slope distance from the edge of bankfull width would be designated on each side of intermittent, perennial, and fish-bearing streams. On springs, seeps, or wetlands the NTZ would extend out 25 feet from the edge of the riparian vegetation. Proposed treatments would occur within riparian reserves outside of the NTZ.
- During underburning activities, direct ignition would not occur within 25 feet of stream channels. Existing fuel profiles and vegetation densities near streams would be retained as much as possible to retain shade and soil stability.
- Piles would not be placed within 25 feet of the unit boundary, within 25 feet of NTZs, placed on logs or stumps, in roadways or drainage ditches, or within channel bottoms or streams.
- Mechanized equipment would be limited to chainsaws.
- Removal of cut vegetation for utilization would be completed by non-mechanized means.
- Power equipment would be refueled at least 150 feet from streams, ponds, or other wet areas. Treatment of units accessed via inadequately surfaced roads would be suspended or delayed as necessary to prevent offsite erosion, stream sedimentation, or road damage. This would apply to all rocked or natural surface roads, where vehicle use has resulted in, or would result in, conditions such as; surface rutting; fines being pumped through road surfacing from the subgrade, road drainage causes a visible increase in stream turbidities, or any condition that would result in water being chronically routed into tire tracks or away from designed road drainage during precipitation events.
- No mechanized equipment, tracked, or tired vehicles would be driven off existing drivable

roads.

- For all vegetative treatments within riparian reserves (two tree lengths on fish bearing, one tree on perennial and intermittent) all native deciduous riparian hardwood tree species such as dogwood, big leaf maple, Oregon ash, willow, ninebark, and cottonwood, would be retained or cultured to ensure that unique characteristics associated with species diversity and species richness are maintained within the riparian reserve. Spacings on cultured trees would be variable, generally ranging up to 40 feet where present.
- Power equipment would be refueled at least 150 feet from streams, ponds, or other wet areas.

### **Soils**

- No direct ignition or cutting of vegetation would occur within 25 feet of unstable sites to protect soil from having increased instances of mass wasting.

### **Special Status Plant Species**

- Bureau Sensitive and Federally Threatened/Endangered plant sites within hazardous fuels reduction treatments would either receive no buffer or a 5 to 30 foot in diameter buffer depending on 1) the prescribed fuels treatment, 2) the time of year treatment would occur, and 3) whether or not that species has demonstrated a tolerance to fire-related disturbance. Buffers will be assessed on a case by case (site-by-site) basis.

### **Threatened/Endangered Animal Species and Raptors**

#### *Northern Spotted Owl*

- Work activities (traffic on roads not generally used by the public, chain saw noise during slashing and pedestrian traffic during prescribed fire operations) that produce loud noises above ambient levels or produce thick smoke that would enter the stand, would not occur within specified distances (195 feet for chainsaws and 105 feet for heavy equipment) of any nest site or activity center of known pairs and resident singles or unsurveyed suitable habitat between March 1 and June 30 (or until two weeks after the fledging period) – unless protocol surveys have determined the activity center to be not occupied, non-nesting, or failed in their nesting attempt. March 1 – June 30 is considered the critical early nesting period. The action agency biologist has the option to extend the restricted season, based on site-specific knowledge (such as a late or recycle nesting attempt). The boundary of the prescribed area may be modified by the action agency biologist using topographic features or other site-specific information. The restricted area is calculated as a radius from the assumed nest site (point).
- If an active spotted owl nest or activity center is located within or *adjacent* to a project area, the project activity would be delayed until September 30th or until an action agency biologist determines that young are not present. (If any project activity is so close to a known or suspected owl site that the disturbance would flush a nesting spotted owl, project activities would be discontinued until September 30 or until the biologist determines that young are not present.) The field biologist has the discretion to conduct surveys and determine fledging activity
- To avoid thick smoke that might affect nesting spotted owls, portions of fuels treatment units in the immediate vicinity of the nest would be burned outside the vulnerable nesting season (March 1 to June 30 of the same calendar year) or the prescription would take

place only when such smoke would not envelop the nest, adjacent suitable habitat, or the project would be implemented in a year when non-nesting has been confirmed using protocol surveys. (For a given situation, the “adjacent” distance is determined by the action agency biologist.)

#### *Raptors*

- Human disturbances that may disturb or interfere with nesting will be prohibited within one-quarter mile of active nesting areas between approximately March 1 and July 15.

#### **Snags**

- Snags would be protected unless they need to be removed to build fireline. Felled snags and existing large down wood would be left on site and protected from burning as much as possible. If snags inside the unit present safety hazards, rather than felling them, no fuel reduction within one tree height of the snag would occur. To minimize snag loss during hand pile burning, hand piles would be at least one tree height away from snags. Prior to burning, firelines would be established at least one tree height away from designated large relic snags (those greater than 20 inches dbh).

#### **Residual Trees**

- Prescribed burning would occur under fuel moisture and weather conditions that minimize the probability of leave tree mortality due to direct fire or scorch. This could require multiple entries for ignition. During the burning of piles, a portion of the piles typically less than 10% are unable to be ignited due to factors such as fuel moisture and pile construction. No attempt to go back to burn these piles would be made as the unburned piles would augment wildlife habitat.
- Habitat patches for the benefit of spotted owl prey, songbirds and other species would be retained within the project area. Patches would vary from approximately ¼ acre to 2 acres in size for approximately every 10 acres of treated areas. These patches would maintain habitat diversity and a variety of vegetative structure and function within the Angora project area. Habitat patches would minimize the impact of fuels reduction activities within the project area. The locations of these patches would be dispersed throughout the Lower Grave Creek 6th field watershed.

## **II. Plan Conformance**

The Proposed Action is in conformance with the following plans:

- *Final Supplemental Environmental Impact Statement and Record of Decision for Amendments to Forest Service and Bureau of Land Management Planning Documents Within the Range of the Northern Spotted Owl* (Northwest Forest Plan FSEIS, 1994 and ROD, 1994)
- *Final-Medford District Proposed Resource Management Plan/Environmental Impact Statement and Record of Decision* (EIS, 1994 and RMP/ROD, 1995)
- *Final Supplemental Environmental Impact Statement: Management of Port-Orford-Cedar in Southwest Oregon* (FSEIS, 2004 and ROD, 2004)
- *Medford District Integrated Weed Management Plan Environmental Assessment (1998)* and tiered to the *Northwest Area Noxious Weed Control Program* (EIS, 1985)



- Record of Decision *To Remove the Survey and Manage Mitigation Measure Standards and Guidelines from Bureau of Land Management Resource Management Plans Within the Range of the northern Spotted Owl (2007)*.

On July 25, 2007, the Assistant Secretary of the Department of Interior signed a new Survey and Manage Record of Decision that removed the survey and manage requirements from all of the BLM Resource Management Plans (RMPs) within the range of the northern spotted owl. In any case, this project falls within at least one of the exceptions listed in the modified October 11, 2006 injunction. This October 2006 modification allows four categories of activities to proceed without performing pre-disturbance survey and manage related surveys:

- a. Thinning projects in stands younger than 80 years old;
- b. Replacing culverts on roads that are in use and part of the road system, and removing culverts if the road is temporary or to be decommissioned;
- c. Riparian and stream improvement projects where the riparian work is riparian planting, obtaining material for placing in-stream, and road or trail decommissioning; and where the stream improvement work is the placement large wood, channel and floodplain reconstruction, or removal of channel diversions; and
- d. The portions of projects involving hazardous fuel treatments where prescribed fire is applied. Any portion of a hazardous fuel treatment project involving commercial logging will remain subject to the survey and management requirements except for thinning of stands younger than 80 years old under subparagraph a. of this paragraph.

This hazardous fuel reduction project is exempt under part d. by definition and because no commercial logging is proposed to take place in hazardous fuel reduction units. As such, the Angora Hazardous Fuels Reduction project is in compliance with the October 11, 2006 order in Northwest ecosystem Alliance et al. v. Rey et. al.

### **III. Compliance with the National Environmental Policy Act**

The Proposed Action is categorically excluded from further documentation under the National Environmental Policy Act (NEPA) in accordance with 516 DM 2 Appendix 1.12 and 516 DM 11.9 C (4):

*1.12 - Hazardous fuels reduction activities using prescribed fire not to exceed 4,500 acres, and mechanical methods for crushing, piling, thinning, pruning, cutting, chipping, mulching, and mowing, not to exceed 1,000 acres. Such activities: Shall be limited to areas (1) in wildland-urban interface and (2) Condition Classes 2 or 3 in Fire Regime Groups I, II, or III, outside the wildland-urban interface; Shall be identified through a collaborative framework as described in "A Collaborative Approach for Reducing Wildland Fire Risks to Communities and the Environment 10-Year Comprehensive Strategy Implementation Plan;" Shall be conducted consistent with agency and Departmental procedures and applicable land and resource management plans; Shall not be conducted in wilderness areas or impair the suitability of wilderness study areas for preservation as wilderness; Shall not include the use of herbicides or pesticides or the construction of new permanent roads or other new permanent infrastructure; and may include the sale of vegetative material if the primary purpose of the activity is hazardous fuels reduction.*

**11.5 C (4) - *Precommercial thinning and brush control using small mechanical devices.***

It has been reviewed to determine if any of the exceptions described in 516 DM 2, Appendix 2, apply (see Attachment 1 “Categorical Exclusions Extraordinary Circumstances”). There are no extraordinary circumstances potentially having effects which may significantly affect the environment. The application of this categorical exclusion is therefore appropriate for the Angora Hazardous Fuel Reduction Project.

**IV. Public Involvement and Agencies Consulted**

**Native American Tribal Consultation and Public Involvement**

Initial contact was made with individuals, groups or agencies that have expressed interest in forest management and other types of projects through a postcard mailing to individual landowners within ¼ mile of the project area boundary. A brief description of the Angora Project, a legal location, and purpose of the proposed action was included on the postcard. In addition the Medford District BLM has been involved with the Josephine County Integrated Fire Plan (JCIFP) as a partner involved in the planning and coordination of the County Fire Plan.

**United States Fish and Wildlife Service (USFWS)**

In accordance with regulations pursuant to Section 7 of the Endangered Species Act of 1973, as amended, formal and/or informal consultation with the US Fish and Wildlife Service concerning the potential impacts of the proposed projects upon the spotted owl would be completed where appropriate.

Most of the units in this project will have no effect to individual spotted owls, their habitat or the functioning of designated Critical Habitat. Some of the units in this proposed action may affect individual spotted owls only through disturbance. Consultation for treatments to be implemented beyond FY 2007 would be completed through consultation with the USFWS or the counterpart regulations prior to implementation.

**National Marine Fisheries Service (NMFS)**

Consultation for the Endangered Species Act with the National Marine Fisheries Service is not necessary as there would be no impact to listed species within the Planning Area. Southern Oregon Northern California (SONC) coho salmon, listed as threatened, are present within this project area and adjacent to Unit 3-3B. The closest fuels treatment unit (Unit 3-3B) is located adjacent from coho critical habitat (CCH) in Grave Creek.

The proposed fuels reduction would have no effect on the SONC coho salmon or CCH because the proposed action will not transport sediment to CCH and would not increase stream temperatures due to canopy will not be removed during this project and the placement of NTZ of 25 feet slope distance from the edge of bankfull width on each side of intermittent, perennial, and fish-bearing streams.



Consultation with National Marine Fisheries Service for habitat listed by the Magnuson Stevens Act is not required as there would be no adverse affects to Essential Fish Habitat.

### **State Historical Preservation Office**

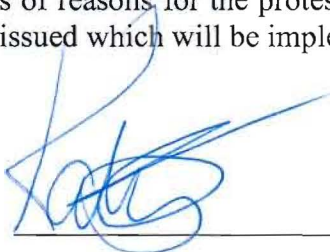
The State Historical Preservation Office (SHPO) approved the clearance/tracking form for the Angora Project. The form is contained within the Angora Project Analysis file. No cultural sites were found during required cultural surveys completed for the Angora Project Planning Area.

### **V. Decision and Rationale**

I have decided to implement the Proposed Angora Hazardous Fuels Reduction Project. These actions meet the need for action. In addition, I have reviewed the plan conformance statement and have determined that the proposed action is in accordance with the approved land use plan and that no further environmental analysis is required. Therefore, an environmental assessment or an environmental impact statement is not needed. It is my decision to implement the Proposed Action in accordance with 43 CFR 5003 – Administrative Remedies.

**Implementation Date:** If no protest is received by the close of business (4:30 P.M.) within 15 days after publication of the Notice of Decision, this decision would become final and may be implemented immediately. If a timely protest is received, this decision will be reconsidered in light of the statements of reasons for the protest and other pertinent information available and a final decision will be issued which will be implemented in accordance with regulation.

**Authorized Official:**



Katrina Symons  
Field Manager  
Glendale Resource Area

**Date:**

4/3/08

### **Administrative Review**

This decision is subject to protest by the public. To protest this decision, a person must submit a signed, written protest to Katrina Symons, Field Manager, Glendale Resource Area, 2164 N.E. Spalding Avenue, Grants Pass, Oregon 97526 by the close of business (4:30 P.M.) not more than 15 days after publication of the Notice of Decision. The protest must clearly and concisely state the reasons why the decision is believed to be in error.

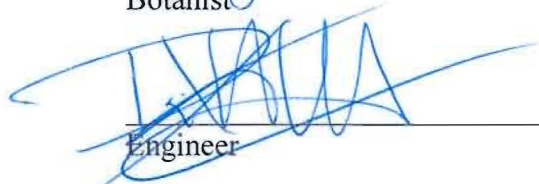
For additional information concerning this decision contact Yanu Gallimore, Fire and Fuels Management Specialist, 2164 NE Spalding Avenue, Grants Pass, Oregon 97526, telephone (541) 471-6527 or Martin Lew, Environmental Planner, telephone (541) 471-6504.



**Reviewers:**

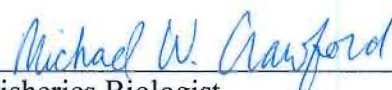
  
Botanist

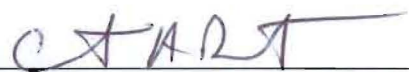
  
Cultural Resources

  
Engineer

  
Wildlife Biologist


  
Soils/Hydrology

  
Fisheries Biologist

  
Visual Resources/Recreation

  
Silviculturalist

  
Fuels Mgmt Spec./Preparer

  
NEPA Planner

CE# OR-118-08-003

**Table 1. Extraordinary Circumstances.** This table shows the exceptions (Extraordinary Circumstances) to Categorical Exclusions that are listed in the Department of Interior Departmental Manual 5.16 DM 2, Appendix 2. An Environmental Document (Environmental Assessment or Environmental Impact Statement) must be prepared for any action for which any of these exceptions apply.

Exception	Does it Apply? Yes/ No	Remarks (Potential for Exception)
2.1 Have significant impacts on public health or safety.	No	All proposed activities follow established rules concerning health and safety.
2.2 Have significant impacts on such natural resources and unique geographic characteristics as historic or cultural resources; park, recreation or refuge lands; wilderness areas; wild or scenic rivers; national natural landmarks; sole or principal drinking water aquifers; prime farmlands; wetlands (Executive Order 11990); floodplains (Executive Order 11988); national monuments; migratory birds; and other ecologically significant or critical areas.	No	<p>Migratory birds: Of bird species on either the Bird Species of Conservation Concern or the Game Birds Below Desired Condition lists, only the mourning dove and the olive-sided flycatcher have nesting habitat that could be directly affected by the proposed action. The band-tailed pigeon has foraging habitat that would be removed in treatment areas.</p> <p>Compared to the wide ranging area suitable for mourning dove nesting, the scale of the proposed action is relatively small, and this may be considered a mitigating circumstance. Also, this species—more than almost any other songbird—is noted for its ability to attempt re-nesting when a nest fails, and may produce several clutches per season. Thus, unlike some other species, disrupting a single nesting effort for this species is not equivalent to disrupting the pair for the entire season. Thus, eggs, nestlings or fledglings that are disturbed or lost due to cutting or burning are likely to be replaced in other nesting efforts during the same season.</p> <p>The olive-sided flycatcher could be adversely affected by removal of understory nesting habitat. Likewise, the band-tailed pigeon, which depends on understory shrubs could also be affected. Even if the berry- and nut-bearing</p>

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		<p>vegetation on which this native pigeon depends resprouted from existing root masses, these shrubs would not recover for several years following the operation.</p> <p>However, compared to the wide ranging area suitable for olive-sided flycatcher nesting and band-tailed pigeon foraging, the scale of the proposed action is relatively small, and this may be considered a mitigating circumstance.</p> <p>Also, the untreated “diversity patches” and the 25-foot riparian buffers will continue to provide understory habitat within the treatment areas. In addition, there may be sites adjacent to raptor or spotted owl nests that would forego treatment if the surrounding stand is treated during the nesting season.</p> <p>All these factors, the scale of the project, the breeding habits of the species, and the untreated areas within the units serve as mitigations; such that the effects of the project would not likely be measurable, even on a small (e.g., 6<sup>th</sup> field watershed) scale.</p> <p>As such, there are no effects expected at the population level to this species resulting from the proposed action.</p>
2.3 Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources [NEPA section 102(2)(E)].	No	Based on past experience from these types of activities, there are no predicted environmental effects from the proposed action which are considered to be highly controversial nor are there unresolved conflicts concerning alternative uses.
2.4 Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks.	No	Past experiences from these types of activities have shown no highly uncertain, potentially significant, unique or unknown risks.



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Exception	Does it Apply? Yes/ No	Remarks (Potential for Exception)
2.5 Establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects.	No	Similar actions have taken place throughout the District and there is no evidence that this type of project would establish a precedent or decision for future action.
2.6 Have a direct relationship to other actions with individually insignificant but cumulatively significant environmental effects.	No	The BLM has conducted these types of activities in the past with no significant direct, indirect, or cumulative effects.
2.7 Have significant impacts on properties listed, or eligible for listing, on the National Register of Historic Places as determined by either the bureau or office.	No	A Class 1 cultural resource review of the project indicated that there are no NRHP sites located inside the project area.
2.8 Have significant impacts on species listed, or proposed to be listed, on the List of Endangered or Threatened Species, or have significant impacts on designated Critical Habitat for these species.	No	Surveys for spotted owls in the project area would continue until all potentially disturbing operations are completed. If any nesting owls are found, seasonal restrictions to avoid disturbance would be implemented (see PDFs). No other listed species occurs within the project area or within potential disturbance distance of the Proposed Actions. The proposed fuels reduction would have no effect on the federally listed Southern Oregon Northern California coho salmon or coho critical habitat (CCH). Prescribed burning would closely follow guidelines for fuel moisture and fuel loading in order to control burn intensity and potential for fire to damage non-target vegetation. This would reduce the potential for fire spread and scorch and mortality to the residual trees and shrubs. Current and future large woody debris would therefore not be affected. A minimum 25 foot No Treatment Zone, (NTZ) from bankfull width, would be used to protect streambank stability. Sediment would not be transported to CCH because 1) the vegetation and duff layer in the no

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Exception	Does it Apply? Yes/ No	Remarks (Potential for Exception)
		treatment area would trap and store sediment on site, 2) ground disturbance within each unit would be limited to the construction of a hand built fireline, and 3) less than 15 percent of the soils within each unit would be affected by intense burning conditions that could result in some areas of topsoil erosion. Activities would only occur outside of 25 foot NTZ, and as a result there would be no direct transport mechanism between these very limited ground disturbing activities and the stream channel. Treatment of units accessed via inadequately surfaced roads would be suspended or delayed as necessary to comply with state water quality standards and minimize stream sedimentation. The proposed fuels reduction treatments would not increase stream temperatures due to canopy will not be removed during this project and the placement of NTZ of 25 feet slope distance from the edge of bankfull width on each side of intermittent, perennial, and fish-bearing streams.
2.9 Violate a Federal law, or a State, local, or tribal law or requirement imposed for the protection of the environment.	No	The project did not require a Section 106 NHPA survey due to the requirement in the OR BLM Cultural Resource Protocol.
2.10 Have a disproportionately high and adverse effect on low income or minority populations (Executive Order 12898).	No	Similar actions have taken place throughout the District and there is no evidence that this type of project would have a disproportionately high and adverse effect on said populations.
2.11 Limit access to and ceremonial use of Indian sacred sites on Federal lands by Indian religious practitioners or significantly adversely affect the physical integrity of such sacred sites (Executive Order 13007).	No	The project was reviewed with concerned Tribes. The Tribes did not identify any issues or concerns regarding this project.

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Exception	Does it Apply? Yes/ No	Remarks (Potential for Exception)
2.12      Contribute to the introduction, continued existence, or spread of noxious weeds or non-native invasive species known to occur in the area or actions that may promote the introduction, growth, or expansion of the range of such species (Federal Noxious Weed Control Act and Executive Order 13112).	No	The proposed activities outlined in this CE will not be responsible for spreading noxious weeds any faster across federal lands than if the proposed activities did not occur. Botanical surveys are conducted prior to project implementation, and result in new sightings of noxious weed populations in and/or adjacent to proposed units. These new weed sites are then treated as funding permits per Medford District's <i>Integrated Weed Management Plan and Environmental Assessment OR-110-98-14</i>